

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

CHARLES NEAL,

Plaintiff,

v.

DR. MICHAEL MINEV, *et al.*,

Defendants.

Case No. 2:23-cv-00902-MMD-EJY

**ORDER**

On June 2, 2023, Plaintiff submitted an incomplete application to proceed *in forma pauperis* (“IFP”) together with a Civil Rights Complaint under 42 U.S.C. § 1983. ECF Nos. 1, 1-1. Plaintiff fails to include a financial certificate signed by a prison or jail official and his inmate trust fund account statement for the previous six-month period. Even if Plaintiff has not been at the Nevada Department of Corrections facility a full six-month period, Plaintiff must still submit a financial certificate and an inmate account statement for the dates he has been at the facility.<sup>1</sup> 28 U.S.C. § 1915(a)(2); Local Rule LSR 1-2.

To apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, on this Court’s approved form (i.e. pages 1 through 3 with the inmate’s two signatures on page 3), (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official (i.e. page 4 of this Court’s approved form), and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period**.

Accordingly, IT IS HEREBY ORDERED that Plaintiff’s application to proceed *in forma pauperis* (ECF No. 1) is DENIED without prejudice.

IT IS FURTHER ORDERED that on or before **July 13, 2023**, Plaintiff must either pay the \$402 filing fee for a civil action or file with the Court: (1) a complete **Application to Proceed in Forma Pauperis for Inmate** on the Court’s approved form; (2) a **Financial Certificate** properly

<sup>1</sup> The Court acknowledges that Plaintiff asserts he has had difficulty obtaining these documents from the NDOC. ECF No. 1-2.

1 signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate's prison or jail**  
2 **trust fund account statement for the previous six-month period.**

3 IT IS FURTHER ORDERED that failure to either pay the \$402 filing fee or file a complete  
4 application to proceed *in forma pauperis* on or before **July 13, 2023**, will result in a recommendation  
5 to dismiss this action **without prejudice**. A dismissal without prejudice allows Plaintiff to file his  
6 case with the Court, under a new case number, when he is able to comply with LSR 2-1 and file a  
7 complete application to proceed *in forma pauperis* or pay the required filing fee.

8 IT IS FURTHER ORDERED that the Court will retain Plaintiff's Complaint (ECF No. 1-1),  
9 but will not file it at this time.

10 IT IS FURTHER ORDERED that the Clerk of the Court must send Plaintiff the approved  
11 form application to proceed *in forma pauperis* for inmate along with the information and instructions  
12 for filing the same.

13 DATED this 12th day of June, 2023.

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15 ELAYNA J. YOUCHAH  
16 UNITED STATES MAGISTRATE JUDGE  
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